IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1036 OF 2007.

IN

SUIT NO. 2470 OF 2002.

Housing Development Finance Corpn.Ltd. ...Plaintiff

V/s.

Express Industrial Services Pvt.Ltd. and Ors. ...Defendant.

Mr.Shailesh Shah a/w.Mr.Sandeep Bhimle i/b.Wadia Gandhi & Co. for the plaintiff.
Mr.Janak Dwarkadas a/w.Mr.D.H.Mehta i/b.Mr.M.P.Desai for defendant nos. 1 to 3.

CORAM : S.J. VAZIFDAR J.

DATE : 30TH JULY, 2007.

P.C. :-

1. The parties have agreed that the decree on admission between the plaintiffs and defendant nos.1, 2 and 3 passed on 14th August, 2006 be varied by the plaintiff accepting from the said defendants a payment of Rs, 2,25,00,000/- in full and final satisfaction of the decree. On behalf of defendant nos. 1 to 3 two demand drafts aggregating to Rs. 2,25,00,000/- were handed over to the plaintiffs advocates in Court who accepted the same subject to realisation. The

plaintiffs agree and undertake to discharge their obligations under clauses 9(d) and 9(f) of the said decree on admission. They shall do so within two weeks of the realisation of the demand drafts. It is further agreed that the plaintiffs shall, upon realisation of the payment, mark the decree as satisfied and that in any event the decree shall be deemed to have been satisfied and marked satisfied by force of this order itself.

2. The Chamber Summons is accordingly disposed of.